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15 CENTS

France An Episode in A World Struggle Over Integration

Those of us who love France and watch its agony from afar cannot avoid the observation that its "regime of parties" is as bankrupt as de Gaulle says it is. The one cement which holds together the diverse elements in the Assembly behind Pflimlin is the realization that their personal careers as politicians are at stake. Inertia still rules. The only concrete move by the government is to appropriate more money to step up the war in Algeria, i.e. to continue the very policies which have brought France to this pass. The bankruptcy is as evident on the Left as elsewhere; there the decay of socialist idealism is symbolized by the slippery figure of Guy Mollet while the degeneration of the Communist party is evident in its pampered Cadillac-borne god, Thorez.

De Gaulle As Fairy Godmother

The French people seem to be taking it all calmly; as realists, they seem to believe it best to pretend. The fantasy evident in the peculiar relations between the government in Paris and the rebels in Algiers, both pretending nothing has happened, shows French logic powerfully at work to produce what everybody hopes may be a healing fantasy. Everybody figures that if worst comes to worst France's fairy godmother, in this case de Gaulle, will set everything aright, which he might, since the right would acquiesce in a sensible solution for Algeria if he imposed it. And de Gaulle—as the Moslems know—is not a racist, not a Fascist, just a mystic patriot.

In perspective the French crisis may be illuminated if seen as one episode in the broader world crisis of integration which afflicts our own South, South Africa, and North Africa, all the lands in which dominant whites have exploited submerged colored peoples. For months the Algerian struggle has corrupted French liberty; its best papers have been seized by the police; its noblest spirits have protested in vain. France demonstrates that where whites insist on denying their rights to the colored peoples the effect is to destroy their own liberties. This, in brief, is the constitutional history of our South, the only part of the United States which turned its back openly over a century ago on Jeffersonianism, the only section which has been governed for a hundred years or more by a one-party regime. Here as in North Africa, a handful of exploiting whites fanatically determined exert enormous pressure because the other whites are either indifferent or carried along by race hatred. The *colon* of Algeria and the planter of Georgia play similar roles in a similar drama, a drama which will develop new intensity here when colored children, thanks to the latest Supreme Court ruling, knock next Fall on Virginia's school doors and that State must either knuckle under or implement massive resistance. There will then be a bigger Little Rock on Wash-

Dulles and Venezuela

"Caracas, Venezuela, May 17—There is resentment here over the praise accorded to Perez Jimenez by Secretary of States Dulles, and over a decoration given him by President Eisenhower in November, 1955, when thousands were in concentration camps or exile. The people here cannot forget that Dulles on April 23, 1955, said the government of Perez Jimenez 'is a model for the Americas'."

—Jules Dubois, *Chicago Tribune*, May 18, "Inside Story of Why Nixon Was Insulted."

"Secretary Dulles told a closed session of a Senate committee: 'The disorders would never have taken place against Nixon in Caracas under Jimenez. He had a first class police department'."

—Bob Considine, *N. Y. Journal-American*, May 20.

"The miscalculation in the case of the visit to Caracas was primarily a miscalculation as to the adequacy and efficiency of the police force. It virtually melted away at the sight of trouble. . . . The police force that had been maintained under Estrada had been virtually liquidated."

—Secretary Dulles, press conference, May 20.

"The political moment was inopportune for the [Nixon] visit because the United States had given visas to enter that country to ex-dictator Perez Jimenez and to Pedro Estrada, who were two murderers."

—The Rev. Jesus Chappelin, of the Venezuelan Catholic daily, *La Religion* (*Chi. Trib.*, May 18).

"Estrada, who as chief of the abolished security police, earned the title of the 'Beria of Venezuela,' is accused of having ordered the torture and deaths of thousands of political prisoners."

—Dubois from Caracas, *Chicago Tribune*, same day.

Q. On the subject of Latin America, it has been reported that Vice President Nixon feels strongly one of the chief shortcomings of our policy in Latin America is apparently our friendly support of dictator governments. . . . Do you agree with that? . . .

A. We try to conduct our relations with all the governments of the world on the basis of dealing with the government which is in fact in power unless we have reasons, as we have in Communist China, for not recognizing it. [Laughter]. . . . I would like to point out there is no clear-cut distinction. You can talk about dictators and non-dictators but it isn't quite easy to classify on that basis."

—Secretary Dulles, press conference, May 20.

Especially when they have such efficient police.

ington's very doorstep just across the Potomac.

In France, as elsewhere, the price of white supremacy turns out to be the liberty of whites and blacks.

A House Committee Subpoena Is Not An Invitation to Open Debate

The FBI and Its Allies Out to Intimidate An Outspoken Cleveland Capitalist

In his radio reply May 19 to Cyrus Eaton's criticism of the FBI, Richard Arens, staff director of the House Un-American Activities Committee said that one of our checks on secret police abuses is that "FBI operations are subject to the scrutiny of the free press of this nation, the newspapers, and the radio and television media."

This is true. It is also true that the FBI and its allies, particularly the House Committee, do their best to discourage such scrutiny. An example was Arens' announcement over the radio that Chairman Walter had "signed a subpoena for Mr. Eaton's appearance before the committee."

Invitation to Answer Declined

The Eaton affair illustrates the unwillingness of the FBI and its allies to meet criticism in fair discussion. The Cleveland industrialist was interviewed by Mike Wallace over a nationwide ABC hookup May 4, under the sponsorship of the Fund for the Republic. Robert M. Hutchins, president of the Fund, invited J. Edgar Hoover to reply over the same facilities. Hoover replied rather stuffily that he would not "dignify" the charges of "one Cyrus Eaton."

The President, the Secretary of State and the Attorney General all hold press conferences; J. Edgar Hoover never. He gives interviews to favored persons but never exposes himself to critical questioning.

Instead of meeting the issue squarely the FBI chief arranged for himself to be interviewed by his friend, Rep. Kenneth B. Keating (R., N. Y.) on the latter's TV show, "Let's Look at Congress." Chairman Walter of the House Committee demanded "equal time" of ABC to make a reply to Eaton. The result was the speech by Arens, and the announcement that Eaton would be subpoenaed. A subpoena to appear before the House Committee is hardly an invitation to free and open debate. It serves notice that public criticism of the FBI is a hazardous occupation.

Honest debate would have been wholesome. In some respects Eaton overstated his case. The FBI is not a Hitler Gestapo and the snooper that goes on in our own country is still a long way from the perpetual surveillance to which the Russian people are subjected by their own political police. But we could easily slip into such bad habits if the FBI became sacrosanct.

The Impiety of Cyrus Eaton

"Mr. Eaton criticized the informant system. The informant system is vital to the operation of any security or intelligence program. In our work on the Committee on Un-American Activities we are constantly using information which has been procured from the inside of the Communist conspiracy by carefully selected people engaged by the FBI."

—Richard Arens, over ABC, May 19.

The mentality of political snoopers is the same the world over. All criticism to them and of them is suspect. This was evident in Hoover's sneering reference in the Keating interview to "the carplings of the professional 'do-gooders,' the pseudo-liberals and the out-and-out Communists." This associates idealism ("do-gooders") and liberals with "subversion."

A Wide Mandate to Police Thought

Though the FBI is supposed to police crime, not political thought, Hoover seems to feel he has a broad mandate in the latter field. He made it clear he was watching not only Communists but ex-Communists whom he regards as "not dedicated to the American way of life" and others whom he sees as being "in the twilight zone who can be utilized by the Communists." This could cover a wide spectrum of political activity.

In the Keating interview, Hoover said he had only 90 wiretaps in operation and all were in internal security cases. It would be interesting to know how many other types of surveillance such as "bugging" are in use and how many of these taps and "bugs" are being utilized to check on possible violations of the law and how many in listening in on citizens whose political views Hoover distrusts.

It is clear from the Hoover interview and the Arens speech that Eaton has earned the animosity of our snoopers not merely because he dared criticize the FBI but because he has been working for peace. In their eyes, this is sinister, part of "a softening up process . . . a growing climate of opinion that we can appease, negotiate, co-exist," as Arens expressed it. For the snoopers, talk of peace as well as civil liberty is subversive.

Some of the Opinions Which Have Made An Enlightened Business Man Suspect

Wallace: Mr. Eaton, you've made considerable news with your meetings up at Pugwash. You have financed these conferences among scientists of the free world and from Communist countries like Russia and Red China. What do you think you accomplish . . . ?

Eaton: We've demonstrated that men of different languages and different philosophies can get together and discuss crucial questions, come to a common understanding and part great friends. . . . These scientists left, I mean to go back home and tell their governments of the great hazards we face unless we bring common sense to bear on our international problems.

Wallace: Why do you hold these meetings up in Pugwash, in Nova Scotia, rather than here in the U. S.?

Eaton: It would be impossible, probably, to hold them in the United States, because of the [visa] restrictions. The

Chinaman would not be permitted to come in, and if the Russians, got in, it would be with great difficulty.

Wallace: What kind of restrictions?

Eaton: They would put many obstacles in the way and it would subject the people coming here to very great humiliations that I don't think any self-respecting scientist would submit to. . . .

Wallace: In classified areas, do you believe that these screenings, fingerprints and so forth, are superfluous?

Eaton: I think so—they keep alive the spirit of suspicion which is one of the things that plagues us . . . the FBI is just one of the scores of agencies in the U. S. that are engaged in investigation, in snooping, in informing, in creeping up on people. It has gone to an extent here that I think it very alarming.

—Cyrus Eaton on the Mike Wallace show, May 4.

Supreme Court Majority Still Vague in Curbing Congressional Witch Hunt**The Sacher Decision Fails to Clarify the Meaning of Watkins**

Almost a year ago, last June 17, the Supreme Court in the Watkins case for the first time reversed a conviction for contempt of the House Un-American Activities Committee. That ruling seemed to promise a sharp judicial check on Congressional inquiry into political ideas and associations; it seemed to say that the Bill of Rights forbade a Congressional witch-hunt. But it was not at all clear. There was hope that the ruling would be clarified in other pending contempt cases.

The Harry Sacher conviction, now reversed by the Court, was the first of these to be decided. The verdict, freeing a brave lawyer, is gratifying. But it leaves the Watkins ruling as obscure as before. The Sacher case was important as the first test of the Senate Internal Security subcommittee, the other arm of the witch hunt. Unfortunately the Court's ruling offers little guidance for the future. It shows that six members of the present Court (Clark and Whittaker dissented; Burton took no part) remain determined to put a curb on the excesses of Congressional investigation. But they obviously cannot agree among themselves as to just what the nature of that curb shall be. The result is another ruling on grounds so vague that it may easily be bypassed by a future court with rightist sympathies.

Three Clear Rulings Possible

There were at least three clear ways in which the Sacher conviction could have been reversed. To understand these one must sketch in the background. The FBI informer, Harvey Matusow, had just recanted. On the basis of that recantation, the "second string" Communists convicted under the Smith Act in New York had asked a new trial. Their petition was pending and Sacher was their lawyer. He was subpoenaed by the Senate committee in a burst of angry publicity designed to picture the Matusow recantation as a Communist conspiracy. Sacher denied under oath that he had taken any part in bringing about the recantation but refused on First Amendment groups to answer three questions bearing on membership in the Communist party or a lawyers section of it.

The Court could have ruled that a Congressional committee had no right to intrude on a matter before the courts. The effect, if not the purpose, of the investigation was to create an atmosphere of intimidation which made fair con-

Clearer First Amendment Line

The clearest judicial line in the Harry Sacher case seems to have been that of Circuit Judge Washington, who dissented when the Court of Appeals here 5-4 upheld the conviction. "I think one of the main thrusts of Watkins was this:", Judge Washington wrote, "that the courts should not sanction the criminal conviction of a person who refuses to answer questions which touch upon First Amendment rights and which appear designed to produce 'public self-condemnation' . . . unless there is shown clear legislative authority, within the framework of the constitutional responsibilities of the Congress." That view, however, was not adopted by the Supreme Court.

sideration of the petition for a new trial difficult. The Court could have ruled that if it was believed that the Matusow recantation was the product of a Communist conspiracy that was a matter for a grand jury. The Court could have ruled that under the Bill of Rights a Congressional committee had no right to ask a man about his political views and affiliations, that such interrogation of persons with unpopular views inhibit the exercise of free speech. Any one of these three rulings would have provided a clean line for the future.

Good Law But Poor Logic

Instead the majority of the Court fell back on a ruling that the questions asked Sacher about Communist affiliations were not clearly pertinent to the matter under investigation. But in this respect the Clark dissent makes more sense than the queasy reasoning of the majority. If the committee had a right to investigate a supposed Communist conspiracy to bring about the Matusow recantation, how can it logically be said that the Committee had no right to ask Sacher about his Communist affiliations?

The country had a right to expect a clearer line from the Court. The effect of such vagueness is only to make it more vulnerable to attack from Congress. A clear Constitutional line, establishing the First amendment firmly as a restriction on Congressional investigation, would really curb the witch hunt and would give the Court itself firm grounds on which to stand. A ruling based on "pertinence" is, in this context, much too subjective and vague. We hope the next appeal coming up, that of Lloyd Barenblatt, will be less evasive.

Fresh Light on the Dirty Business of Using Informers in Law Enforcement

The shady business of using informers in law enforcement has usually been discussed in terms of political surveillance. The Court has just decided two narcotics cases which show the dangers which arise when informers are used even in ordinary crimes.

One narcotics conviction was upheld unanimously where the petitioner failed to show that the informer "tried to persuade him to enter the narcotics traffic." But the Court unanimously reversed the other conviction as entrapment, though splitting 5-4 on its reasoning. The decision was noteworthy in that Black was with Warren and the "majority" while Douglas went with Frankfurter, Harlan and Brennan in the "minority" opinion.

In the conviction reversed, the informer met the petitioner at a doctor's office where he was being treated for

addiction. The informer, playing on his sympathies, not only entrapped the petitioner into helping him buy narcotics but induced the petitioner to resume the habit. The Chief Justice said "Thus the government plays on the weaknesses of an innocent party and beguiles him into committing crimes."

The difference between "majority" and "minority" was whether entrapment was to be outlawed on the ground that Congress never "intended" such methods to be used or whether irrespective of such supposed intent "It is the province of the court and of the court alone to protect itself and the government from such prostitution of the criminal law." The latter was the minority view. The words were those of a separate opinion by Roberts in the leading case, *Sorrells v. U. S.* 287 U. S. 435.

Anderson Exposes Plutonium Subsidy; Eastland "Recommends" Civil Rights Director

That Missile Cone Ike Showed on TV Last November Was Phoney

In the *Weekly* of last November 18, after the President's TV address on security, we reported that the only thing new in that speech was not true: "We have not solved the so-called re-entry problem, despite that odd cone put on view in the White House study." It now is admitted that that was only a "scale model" as compared with the full-scale nose cone retrieved from the Army Jupiter intermediate missile launched May 18. As the *New York Times* put it in an editorial May 19, "President Eisenhower called attention to the importance of this [re-entry] problem in his television and radio broadcast late last year. It now turns out, however, that the nose cone displayed to the nation then was only a scale model . . ." The fact is the President in his broadcast said flatly that the re-entry problem had been solved when it had not. . . .

Subsidizing Atoms for War

The most important revelation in Senator Clinton P. Anderson's (*D. New Mex.*) speech to the National Press Club (May 15) went unreported in most papers. He disclosed that in executive session testimony on S 3474, the bill to spread nuclear weapons components and know-how to other nations, the AEC said it was planning to pay \$30 a gram for plutonium produced in atomic reactors at home and abroad. The original bill, as drafted by the Administration, would have allowed the AEC to make 15-year plutonium contracts with plants abroad. This would have subsidized U. S. firms to set up nuclear reactors in allied countries (like South Korea and Formosa) which could not otherwise afford them. The 15-year contract clause has been knocked out in the Joint Congressional Committee on Atomic Energy but presumably the price still stands at the \$30 figure.

Anderson charged that the \$30 price would have a double effect. Abroad it would encourage the establishment of nuclear reactors "which would emphasize plutonium production" for weapons "rather than electric power," thus undermining "the whole atoms-for-peace-program." At home the \$30 price would "bail out" (in Anderson's phrase) the Detroit Edison plant now under construction at Lagoona Beach, Michigan. Anderson said Pacific Gas and Electric's

ADA and the Nuclear Arms Give-Away

The ADA in its national convention here voted for immediate cessation of nuclear testing with a UN system of inspection, step-by-step moves toward elimination of all nuclear weapons, mutual withdrawal from Germany and East Europe, a summit meeting under UN auspices and negotiations "looking toward" recognition of Red China. But the convention voted down a disarmament subcommittee's resolution to oppose "any proposal which would permit the transfer of nuclear and thermonuclear weapons or the direct means of their manufacture to other nations."

nuclear power plant proposal at Eureka, California, also assumes that the government will buy plutonium at \$30 a gram.

Until recently the price paid for plutonium by the AEC was a secret. The United Automobile Workers, in its long fight against the Lagoona Beach plant on safety grounds, ingeniously smoked out the fact [credit UAW's nuclear expert Leo Goodman and IUE's counsel Ben Sigal] that Detroit Edison expected to be paid \$45.87 a gram for plutonium. The British estimate that plutonium costs about \$11 a gram to produce and puts its fuel value at about \$9. A \$30 price would thus represent a substantial subsidy.

Highly Recommended

In the Senate debate (May 14) on confirmation of Gordon Mac Lean Tiffany of New Hampshire to be staff director of the Commission on Civil Rights, he was accused by Eastland (1) of having fought in the State Legislature against a bill to "overrule" the Supreme Court's decision in the Paul Sweezy case, (2) of having been counsel in 1956 for Gordon Kahn when the latter was subpoenaed under the State anti-subversion statute, (3) of having as law partner Joseph Kovner, formerly of the CIO legal staff in Washington, who in 1937 (according to Eastland) defended the Communist Gus Hall against a charge of dynamiting, and (4) of being favorably regarded by the Southern Conference Educational Fund.

Watch for IFS on Open Mind TV Program in New York and Boston June 1

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